

## **PROGRESS REPORT NO. 5**

# **MICHIGAN COURT OF APPEALS DELAY REDUCTION PLAN**

August 27, 2003

### **Work Group Members:**

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## I. EXECUTIVE SUMMARY

On March of 2002 the Michigan Court of Appeals adopted a long-range goal of disposing of all appeals filed with it within 18 months of filing, commencing with those cases filed on and after October 1, 2003. Since the Preliminary Report that signaled the inception of the Court's delay reduction plan, the Court has issued Progress Reports No. 1, 2, 3, and 4. This Progress Report No. 5 sets out data covering the first six months of 2003, with particular emphasis on April, May, and June. The public can access each of the five reports on the Court's web site at <http://courtofappeals.mijud.net/>.

To meet the Court's long-range goal of disposing of all appeals within 18 months of filing, the Court adopted two objectives:

- *First*, the Court determined that it would need to reduce the time to process an opinion case from its 2001 level of 653 days to approximately 497 days. The Court designed a number of actions, to take effect over the summer and fall of 2002 through the commencement of FY 2004 on October 1, 2003, to meet this first objective.
- *Second*, the Court determined that it would then need to further reduce the time it takes to process an opinion case to approximately 300 days, commencing October 1, 2003. This, in essence, means that the Court must substantially reduce or eliminate the component in processing time that it calls the "Warehouse."

Despite budget cuts in both FY 2002 and FY 2003, in the first six months of 2003, it took 94 fewer days to move an opinion case through the Court than it did in its base year of 2001. Thus, the Court has maintained the progress toward delay reduction that it achieved in the last half of 2002 and in the first three months of 2003.

The Court anticipates that FY 2004 (that fiscal year beginning on October 1, 2004) will be its breakout year. Achieving a statewide balanced budget for FY 2004 was, and is, an excruciatingly difficult task. Nevertheless, in its presentation of its budget request for FY 2004, the Court emphasized that to meet its overall goal of disposing of 95% of all appeals within 18 months of filing its must add attorneys to our Research Division in order to drastically reduce the Warehouse.

Fortunately, there was almost universal recognition of this urgent need. As part of an overall package of fee increase bills originated by the Supreme Court, supported by the Executive Branch, enacted by the Legislature, and signed by the Governor, the Court will receive approximately \$525,000 more in revenues in FY 2004 than it received in FY 2003. These funds will allow the Court to increase its Research Division staff and complete the important work of drastically reducing or diminishing the Warehouse.

As the Court builds up its staff in the Research Division, the final step in its delay reduction effort is to reduce the delay in Intake. Intake is the first phase an appeal to the Court and it is here that the attorneys for the litigants file the lower court record and their briefs and other papers. In the Court's base year of 2001, an opinion case spent 260 days on average in Intake. While in the first six months of 2003 this time was 238 days, the Court must further reduce this time to an average of 173 days to meet our overall goal. The Court has proposed a number of changes to the court rules to bring about this reduction.

These changes have been the subject of much discussion with representatives of the State Bar of Michigan. But the bottom line still remains: the Court must cut approximately 66 days from the time an opinion case spends in the Intake phase. Unless the Court can achieve such a reduction, it cannot reach its objective of deciding opinion cases in 300 days on average. Similarly, unless the Court decides its opinion cases in 300 days on average, it cannot reach its overall goal of deciding 95% of all its cases within 18 months of filing.

Within this context, the data in Progress Report No. 5 are summarized below:

- **Overall** In the first six months of 2003, the Court maintained the progress that it has achieved in reducing the overall processing time for an opinion case. Overall, the Court's processing time for such cases is 559 days. *This is a reduction of almost three months from the base year of 2001, without any additional resources at the Court.*
- **Judicial Chambers** In 2001, the average time an opinion case spent in the Judicial Chambers was 61 days. For cases disposed of by opinion in the first six months of 2003, the Court reduced that time *by more than half*, to an average of 30 days. The Court's objective was to reduce the time an opinion case spends in the Judicial Chambers to 46 days by January, 2003; the Court has, therefore, *substantially* exceeded its objective in the Judicial Chambers.
- **Warehouse** In 2001, the average time that an opinion case spent in the Warehouse was 271 days. For cases disposed of by opinion in the first six months of 2003, principally by routing cases directly to the Judicial Chambers rather than through the Research Division, the Court reduced that time to an average of 232 days. The Court's objective was to reduce the time an opinion case spends in the Warehouse to 217 days by October, 2003; *the Court has, therefore, pulled to within 15 days of achieving its objective three months ahead of schedule.*
- **Intake** In 2001, the average time that an opinion case spent in the Intake was 260 days. For cases disposed of by opinion in the first six months of 2003, the average time was 238 days. However, many of the opinion cases disposed of reached, and passed through, the Intake stage *before* the adoption of the Court's delay reduction plan. Thus, while the 22-day reduction of time in Intake is a positive development, it cannot be ascribed to the Court's delay reduction efforts to date. The bulk of the reduction of time in the Intake phase must come from the court rule amendments that the Court has submitted to the Supreme Court. These amendments will, if adopted, reduce the time in intake to an average of 173 days. The proposed amendments are currently pending before the Supreme Court.

The Court has established a solid base upon which it can build in FY 2004 to achieve its long-range goal of deciding 95% of all appeals within 18 months of filing. The Court's core mission is to resolve the cases pending before it with due deliberation *and* due speed. Existing Court policies and procedures focus on ensuring the opportunity for due deliberation. The Court's delay reduction plan will ensure due speed through the significant reduction of delay on appeal. This is part of the Court's core mission and is, and shall remain, a first priority.

## **II. OVERVIEW**

### **A. Statement of the Problem**

In 2001, the Court disposed of approximately 7,600 cases. Of these, the Court disposed of 3,100 cases by opinion. On average, the Court disposed of these opinion cases within 653 days from the date of filing. The Judges of the Court unanimously determined that this figure was not within acceptable limits and adopted a comprehensive delay reduction plan at a meeting held on March 8, 2002. On August 15, 2002, the Court issued its first progress report covering the first six months of 2002. On November 20, 2002, the Court issued its second progress report covering the first nine months of 2002, with particular emphasis on the months of July, August, and September 2002. On February 24, 2003, the Court issued its third progress report covering all of 2002, with particular emphasis on the months of October, November, and December of 2002. On April 10, 2003, the Court issued its fourth progress report covering the months of January, February, and March of 2003. This fifth progress report covers the first six months of 2003, with particular emphasis on April, May, and June of 2003.

### **B. Goals and Objectives**

#### *1. Long-Range Goal*

On March 8, 2002, the Judges of the Court adopted an overall long-range goal and two shorter-term objectives designed to meet that goal. The long-range goal was to dispose of 95% of all the Court's cases within 18 months of filing, commencing with those cases filed on and after October 1, 2003.

#### *2. First Objective*

To achieve its long-range goal, the Court determined that it would first need to reduce the average time it takes to process an opinion case through the Court from its 2001 level of 653 days by 156 days, to approximately 497 days. To achieve this overall reduction, the Court took a three-pronged approach to reduce delay: *First*, the Court set very aggressive targets for disposing of cases once they reach the Judicial Chambers. *Second*, the Court, through a number of mechanisms, set equally aggressive targets for moving cases much more quickly out of the Warehouse, basically by moving these cases directly into the Judicial Chambers at a considerably accelerated pace. *Third*, the Court proposed a number of changes in the Court Rules, to shorten the time in Intake. The Court designed these actions to take effect over the summer and fall of 2002 through the commencement of FY 2004 on October 1, 2003.

#### *3. Second Objective*

Reducing the overall processing time for opinion cases from its 2001 level of 653 days to approximately 497 days will not, however, permit the Court to meet its long-range goal of disposing of 95% of all cases within 18 months of filing. To achieve this long-range goal, the Court must reduce its overall average processing time for opinion cases to approximately 300 days. The Court's second objective is therefore to eliminate the Warehouse.

### III. RESULTS THROUGH JUNE OF 2003 AS COMPARED TO FIRST OBJECTIVE

#### A. Processing Times

##### 1. *Overall*

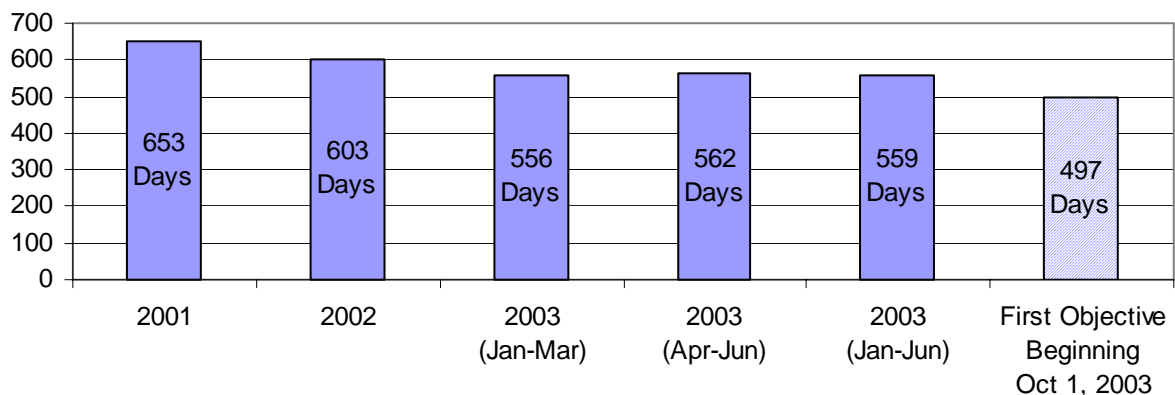
As Chart 1 shows, for those cases disposed of by opinion in 2001 it took 653 days to dispose of an opinion case. For those cases disposed of by opinion in 2002, this time was 603 days. For those cases disposed of by opinion in the first quarter of 2003, this time was 556 days. For those cases disposed of by opinion in the second quarter of 2003, this time was 562 days. For those cases disposed of by opinion in the first six months of 2003, this time was 559 days. Graph 1 shows these reductions on a comparative basis and relates them to the Court's first objective.

**Chart 1**

	2001	2002	2003 Jan-Mar	2003 Apr-Jun	2003 Jan-Jun
<b>Intake</b>	260	240	239	239	238
<b>Warehouse</b>	271	261	234	231	232
<b>Research</b>	61	62	55	60	59
<b>Judicial Chambers</b>	61	40	28	32	30
<b>Totals</b>	653	603	556	562	559

**Graph 1**

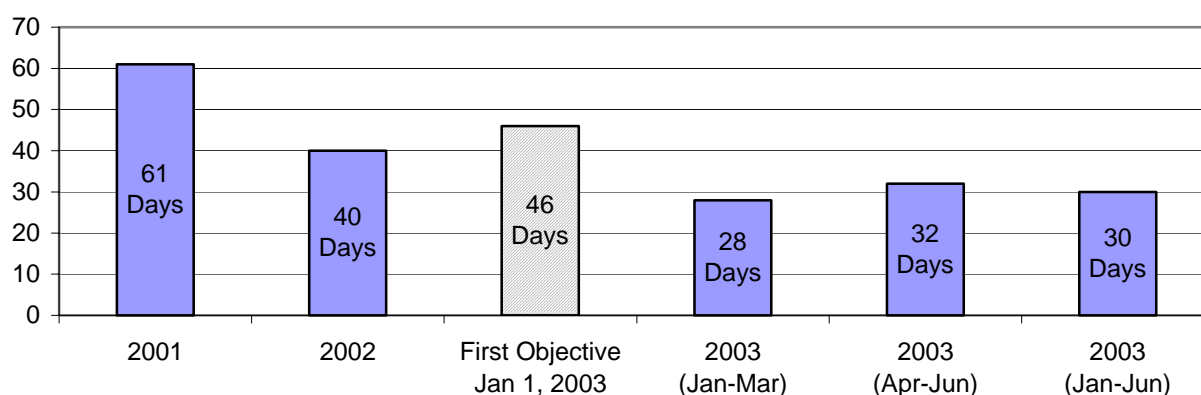
#### Overall Time In Processing Compared To First Objective



## 2. *Judicial Chambers*

As Chart 1 shows, in 2001 for those cases disposed of by opinion the time spent in the Judicial Chambers was 61 days. For those cases disposed of by opinion in 2002, this time was 40 days. For those cases disposed of by opinion in the first quarter of 2003, this time was 28 days. For those cases disposed of by opinion in the second quarter of 2003, this time was 32 days. For those cases disposed of by opinion in the first six months of 2003, this time was 30 days. Graph 2 shows these reductions on a comparative basis and relates them to the Court's first objective. As the graph shows, in the first six months of 2003 the Court has actually exceeded its objective by 16 days.

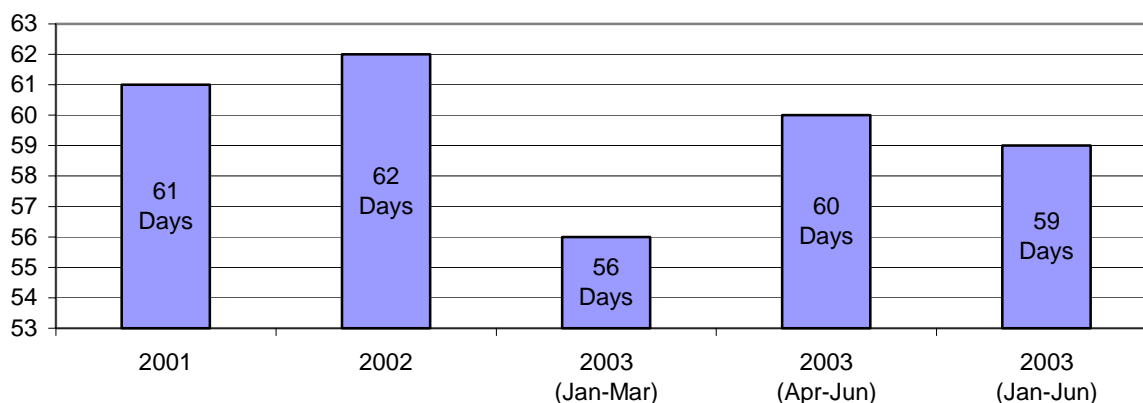
**Graph 2**  
**Processing Time In Judicial Chambers Compared To First Objective**



## 3. *Research*

As Chart 1 shows, in 2001 for those cases disposed of by opinion the time spent in the Research Division was 61 days. For those cases disposed of by opinion in 2002, this time was 62 days. For those cases disposed of by opinion in the first quarter of 2003, this time was 56 days. For those cases disposed of by opinion in the second quarter of 2003, this time was 60 days. For those cases disposed of by opinion in the first six months of 2003, this time was 59 days. Graph 3 shows these increases and reductions on a comparative basis.

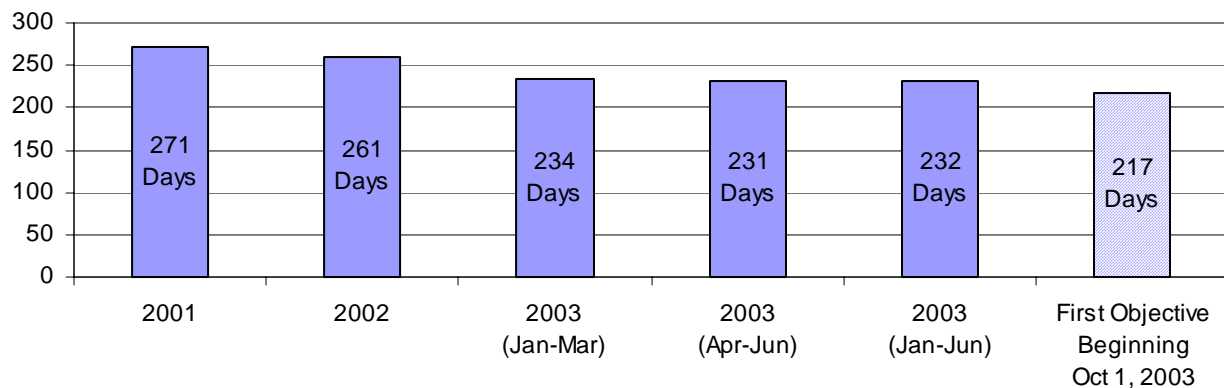
**Graph 3**  
**Processing Time In Research Division**



#### 4. Warehouse

As Chart 1 shows, in 2001 for those cases disposed of by opinion the time spent in the Warehouse was 271 days. For those cases disposed of by opinion in 2002, this time was 261 days. For those cases disposed of by opinion in the first quarter of 2003, this time was 234 days. For those cases disposed of by opinion in the second quarter of 2003, this time was 231 days. For those cases disposed of by opinion in the first six months of 2003, this time was 232 days. Graph 4 shows these increases and reductions on a comparative basis and relates them to the Court's first objective.

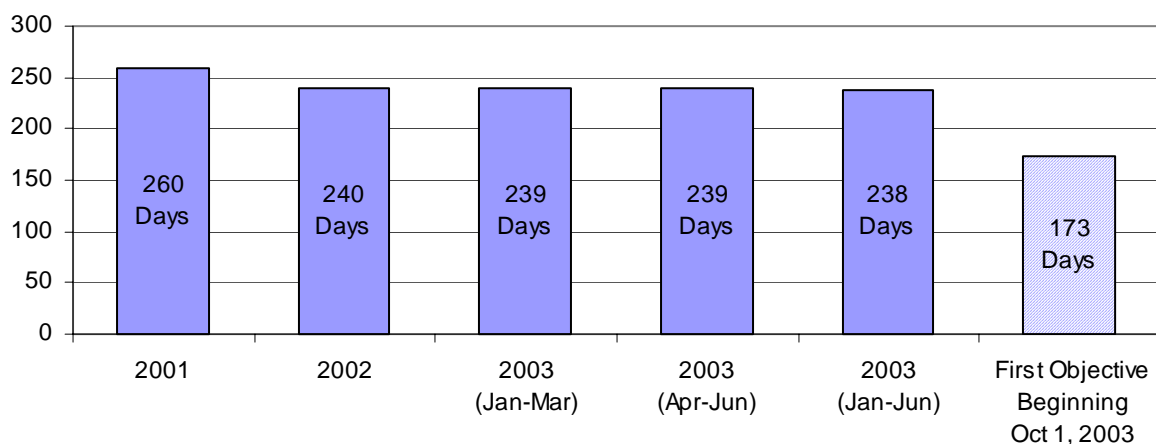
**Graph 4**  
**Processing Time In The Warehouse Compared To First Objective**



#### 5. Intake

As Chart 1 shows, in 2001 for those cases disposed of by opinion the time spent in Intake was 260 days. For those cases disposed of by opinion in 2002, this time was 240 days. For those cases disposed of by opinion in the first quarter of 2003, this time was 239 days. For those cases disposed of by opinion in the second quarter of 2003, this time was 239 days. For those cases disposed of by opinion in the first six months of 2003, this time was 238 days. Graph 5 shows these reductions on a comparative basis and relates them to the Court's first objective.

**Graph 5**  
**Processing Time In Intake Compared To First Objective**



## **B. Case Differentiation**

Chart 2 shows the overall situation for cases that the Court disposed of by opinion in 2001, arrayed according to major case types.

**Chart 2**  
**2001**

	<b>Overall Average</b>	<b>Regular/ Complex</b>	<b>Summary</b>	<b>Non- Expedited</b>	<b>Expedited</b>	<b>Custody/TPR</b>
<b>Intake</b>	260	271	229	280	192	187
<b>Warehouse</b>	271	290	214	331	60	56
<b>Research</b>	61	61	62	63	56	52
<b>Judicial Chambers</b>	61	72	27	66	43	30
<b>Total</b>	653	694	532	740	351	325

Chart 3 shows the overall situation for cases that the Court disposed of by opinion in 2002, arrayed according to major case types.

**Chart 3**  
**2002**

	<b>Overall Average</b>	<b>Regular/ Complex</b>	<b>Summary</b>	<b>Non- Expedited</b>	<b>Expedited</b>	<b>Custody/TPR</b>
<b>Intake</b>	240	254	205	255	178	178
<b>Warehouse</b>	261	290	189	312	58	56
<b>Research</b>	62	59	69	61	66	67
<b>Judicial Chambers</b>	40	49	19	44	26	20
<b>Total</b>	603	652	482	672	328	321



Chart 4 shows the overall situation for cases that the Court disposed of by opinion from January to March of 2003, arrayed according to major case types.

**Chart 4**  
**Jan-Mar 2003**

	<b>Overall Average</b>	<b>Regular/ Complex</b>	<b>Summary</b>	<b>Non- Expedited</b>	<b>Expedited</b>	<b>Custody/TPR</b>
<b>Intake</b>	239	246	222	254	168	171
<b>Warehouse</b>	234	268	151	281	25	25
<b>Research</b>	55	55	56	53	69	70
<b>Judicial Chambers</b>	28	34	15	31	15	13
<b>Total</b>	556	603	444	619	277	279

Chart 5 shows the overall situation for cases that the Court disposed of by opinion from April to June of 2003, arrayed according to major case types.

**Chart 5**  
**Apr-Jun 2003**

	<b>Overall Average</b>	<b>Regular/ Complex</b>	<b>Summary</b>	<b>Non- Expedited</b>	<b>Expedited</b>	<b>Custody/TPR</b>
<b>Intake</b>	239	249	216	257	175	179
<b>Warehouse</b>	231	272	133	290	22	18
<b>Research</b>	60	63	53	58	67	65
<b>Judicial Chambers</b>	32	39	17	35	20	14
<b>Total</b>	562	623	419	640	284	276

Chart 6 shows the overall situation for cases that the Court disposed of by opinion in the first six months of 2003, arrayed according to major case types.

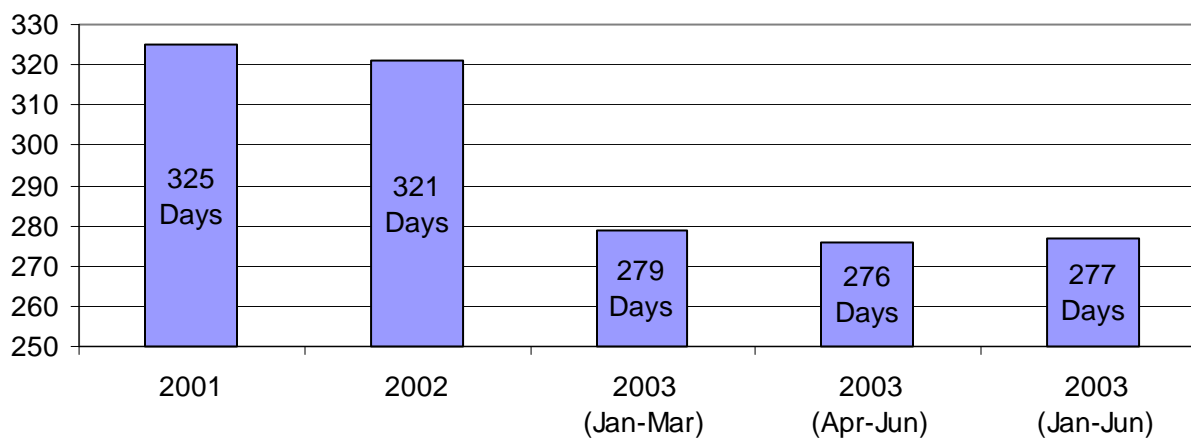
**Chart 6**  
**Jan-Jun 2003**

	<b>Overall Average</b>	<b>Regular/ Complex</b>	<b>Summary</b>	<b>Non- Expedited</b>	<b>Expedited</b>	<b>Custody/TPR</b>
<b>Intake</b>	238	246	218	255	168	171
<b>Warehouse</b>	232	269	143	284	27	26
<b>Research</b>	59	61	55	57	68	67
<b>Judicial Chambers</b>	30	36	16	33	18	13
<b>Total</b>	559	612	432	629	281	277

### **C. Dependency Appeals**

The Court has also directed special attention to dependency appeals. These appeals arise from trial court orders terminating parental rights due to neglect or abuse and appeals arising from trial court orders or opinions involving custody of minor children in domestic relations cases. In 2001, it took 325 days, on average, to dispose of such cases by opinion. Graph 6 shows the situation with respect to dependency appeals for the second quarter of 2003. Note that, as Chart 4 shows, in the second quarter of 2003 the Court disposed of dependency appeals in 276 days on average. Such appeals spent 179 days in Intake while spending 97 days in *all* of the other stages combined, including only 14 days in the Judicial Chambers.

**Graph 6**  
**Dependency Appeals**



The Dependency Appeals Work Group published its final report in May 2003. See [http://courtofappeals.mijud.net/pdf/Dependency\\_Appeals\\_Final\\_Report\\_May\\_2003.pdf](http://courtofappeals.mijud.net/pdf/Dependency_Appeals_Final_Report_May_2003.pdf). The Court of Appeals has submitted proposed rule amendments to the Supreme Court and they have been published for comment on the Supreme Court's website under ADM File No. 2003-25 at <http://courts.michigan.gov/supremecourt/Resources/Administrative/index.htm#proposed>. (The comment period expires November 1, 2002.) These rule amendments focus on appeals from orders terminating parental rights (TPR), and address delay that occurs *after* entry of such orders and *through* final disposition of an appeal to this Court. The goal is to reduce this time to a total of seven months (210 days). The recommendations of the Work Group will result in an average time of 195 days from the date of the order terminating parental rights through disposition by the Court of Appeals. And only 167 days of that period (highlighted below) will occur at the Court of Appeals:

Days		
Order of TPR	0	Day zero on timeline
Request for counsel	14	Proposed amendment of MCR 3.977(l)(1)(c)
Form appoints counsel, orders transcripts, is claim of appeal	14	Proposed amendment of MCR 3.977(l)(2)
Receive claim of appeal	0	Receipt of claim occurs while transcripts are prepared
File transcripts	42	Due 42 days after ordered per MCR 7.210(B)(3)(b)(iii)
File AT brief	28	Current rule. MCR 7.212(A)(1)(a)(i)
File AE brief	21	Current rule. MCR 7.212(A)(2)(a)(i)
File record	14	Proposed amendment of MCR 7.210(G). ADM No. 2002-34
Send to research	7	Current policy
Complete report	28	Current policy
Submit on call	14	Policy approved in August 2003
Issue opinion	13	Average time at COA from January through June 2003
Total days	195	

One area of gain at the Court will occur via delay reduction funding that was appropriated for FY2004 and that will enable the Court to engage the services of additional contract attorneys to prepare staff reports on these cases as soon as they are ready. Other areas of gain at the Court will occur during Intake through the proposed rule amendments.

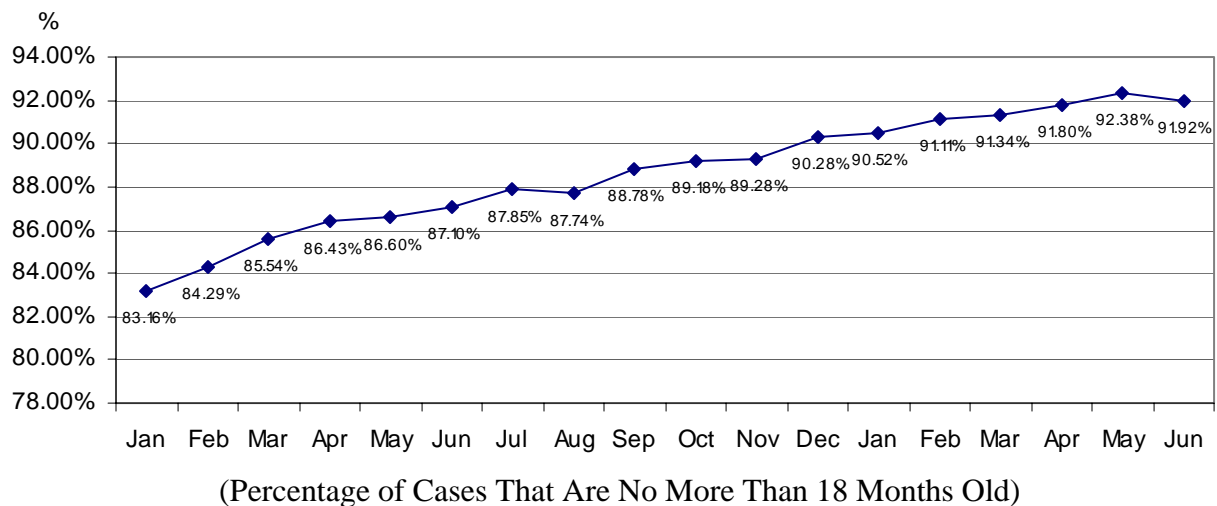
- Amendment of MCR 3.977(I) will establish an automatic claim of appeal that will also constitute the order of appointment of counsel and the order for production of transcripts, for a projected time reduction of 21 days.
- Amendment of MCR 7.210(G) as part of the Court of Appeals Delay Reduction rule amendments in ADM File No. 2002-34 will shorten the time for forwarding the lower court record from 21 days to 14 days.

The net effect of these changes will be a reduction of time on appeal in TPR cases from the present average of 277 days to the projected average of 167 days.

## D. Case Age Percentages

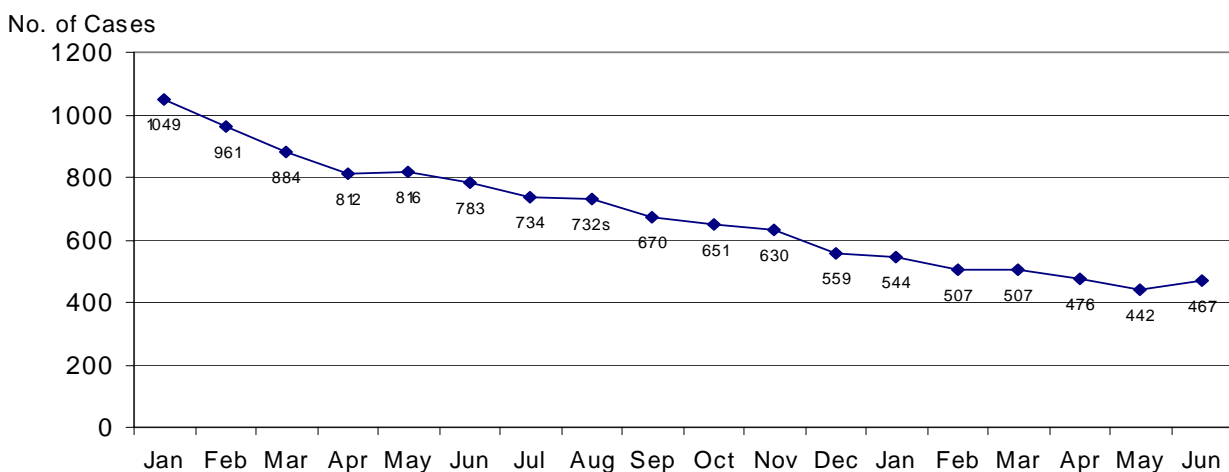
There is another way of looking at the Court's delay reduction progress over the past 12 months and that is by an examination of case age percentages. The Court defines a case age percentage as the percentage of pending cases that are 18 months of age or less from the date of filing. (For example, a case that is filed on January 1, 2002, will be 18 months old on July 1, 2003). At the close of each month, the Court calculates and reports the age of each pending case. Case age percentages give a rough estimate of the *trend* in dispositions. This trend continues to be very good, as Graph 7 illustrates.

**Graph 7**  
**Case Age Percentages – 2002/2003**



Conversely, the *number* of cases that were 18 months of age or more continues to decrease materially, as Graph 8 shows.

**Graph 8**  
**Case Age Numbers – 2002/2003**  
(Number of Cases That Are More Than 18 Months Old)



These statistics, although very favorable, reflect the age of the Court's pending caseload, expressed as a percentage, not the time it takes to dispose of a case. To illustrate the difference:

Percentage of Cases 18 Months Old Or Less At Disposition

	<u>2001</u>	<u>2002</u>	<u>2003 YTD</u>
Opinions	25.03%	33.33%	49.64%
Orders	x <sup>1</sup>	97.36%	99.60%
Totals:	y <sup>1</sup>	65.91%	70.41%

Thus, to use a current example, at the end of May of 2003, 92.38% of the cases pending in the Court's inventory were 18 months or less in age; at roughly the same time the Court was deciding 70.41% of its cases within 18 months of filing. Therefore, while the Court is gratified at the increasing percentage of cases in its inventory that are 18 months old or less, the Court still must make considerable progress if it is to meet its long-term goal of deciding 95% of its cases within 18 months of filing.

## IV. NEXT STEPS

### A. Increasing the Staff in the Research Division

The Court recognized in March of 2002 that, given existing budget constraints, it was not realistic to expect that it could add new attorneys to its Research Division in either FY 2002 or FY 2003. Indeed, the Court actually experienced significant budget *reductions* during both of these fiscal years. Nevertheless, to meet its overall goal of disposing of 95% of all appeals within 18 months of filing, the Court must further reduce the time it takes to process an opinion case to approximately 300 days. In its presentation of its budget request for FY 2004, the Court emphasized that, in order to meet this goal, it must add attorneys to its Research Division and thereby drastically reduce or eliminate the Warehouse.

Fortunately, there was almost universal recognition of this urgent need. As part of an overall package of fee increase bills originated by the Supreme Court, supported by the Executive Branch, enacted by the Legislature, and signed by the Governor, the Court will receive approximately \$525,000 more in revenues in FY 2004 from entry and motion fees that it received in FY 2003. These funds will allow the Court to increase its Research Division staff.

Indeed, the Court has already begun its build up of staff in the Research Division. In the second quarter of 2003, the total staffing level of the Research Division (Commissioners, Senior Research Attorneys and Prehearing Attorneys) remained fairly constant.<sup>2</sup> Chart 7 shows the staffing levels in the Research Division for April, May, and June of 2003. The Court anticipates that the new Prehearing Attorneys who began their employment in August of 2003 will push the

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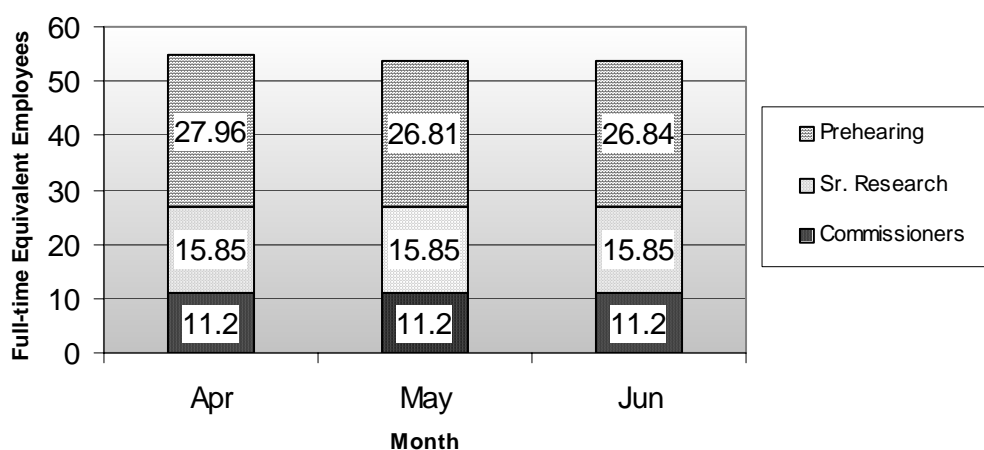
<sup>1</sup> These data are not readily available from the Court's database.

<sup>2</sup> There was only a slight decrease in the number of Prehearing Attorneys that occurred as a result of the normal seasonal fluctuation. Because Prehearing is comprised primarily of recent law school graduates, the bulk of the new hires occur in March and August of each year (after the winter graduates take the February bar examination and the spring/summer graduates take the July bar exam, respectively). Between those two dates, the staffing level in Prehearing typically decreases slightly through attrition and stays low until the new hires start in March and August.

average staff level to thirty-two to thirty-four attorneys for the third quarter of 2003. Beginning in the fourth quarter of 2003, the number of Prehearing Attorneys will again increase as a result the additional revenue generated from the increased filing fees, which will become effective on October 1, 2003.

**Chart 7**  
**Second Quarter Staffing Levels In Research Division**

**Research Division Staffing Levels - 2003**



## **B. Reducing the Time in Intake**

As the Court builds up its staff in the Research Division to drastically reduce or eliminate the time a case spends in the Warehouse, it also must address the problem of the delay in Intake. As noted above, in 2001, an opinion case spent 260 days on average in Intake. In 2002, that time was 240 days on average and in the first six months of 2003 it was 238 days on average. The Court initially proposed to reduce the time a case spends in Intake to 173 days on average for those cases filed on and after September 1, 2003. The Court proposed to meet that objective through adoption of the various changes to the court rules, as outlined below in Chart 8:

**Chart 8**  
**Proposed Court Rule Changes**

Recommendation		Savings	
		By Step	Aggregate
1.	Reduce time for docketing statement from 28 to 14 days.	N/A	N/A
2.	Reduce time for filing transcripts in summary disposition appeals from 91 to 42 days.	10 Days	10 Days
3.	Delete steps to extend time to file appellant's brief by 28 days.	28 Days	38 Days
4.	Delete steps to extend time to file appellee's brief by 28 days.	28 Days	66 Days
5.	Allow extensions of time to file briefs for good cause only, not to exceed 14 days.	14 Days	80 Days
6.	Reduce time to file appellant's brief from 56 days to 42 days.	14 Days	94 Days
7.	Reduce time to file lower court record from 21 days to 14 days.	7 Days	101 Days
8.	Reduce time to file appellant's reply brief from 21 days to 14 days.	N/A	N/A

These proposed changes have been the subject of much discussion with representatives of the State Bar of Michigan. Ultimately, the Chief Judge asked the Supreme Court to delay its consideration of the proposed rule changes to attempt to work out a joint proposal that would be acceptable to the State Bar and compatible with our delay reduction objectives. This effort has not, to date, been successful. However, there has been a 21-day reduction since 2001 in the amount of time a case spends in Intake. But the bottom line still remains: based on current data, the Court must cut approximately 66 days from the time an opinion case spends in the Intake phase. Unless the Court can achieve such a reduction, it cannot reach its objective of deciding opinion cases in 300 days on average. Similarly, unless the Court decides its opinion cases in 300 days on average, it cannot reach its overall goal of deciding 95% of all its cases within 18 months of their filing.

## **V. CONCLUSIONS**

On March 8, 2002, the Judges of the Court of Appeals adopted the ambitious goal of disposing of 95% of all appeals filed with the Court within 18 months of filing. The Court's delay reduction plan, with the exception of changes to the court rules that would reduce the time a case spends in Intake, commenced on an overall basis in July of 2002. During the first six months of 2003:

- The Court reduced the overall time it takes to dispose of an opinion case from the 2001 level of 653 days to 559 days. The Court's first objective is to reduce the time it takes to dispose of an opinion case to 497 days commencing fully on October 1, 2003. Thus, the Court will need to shorten the time it takes to dispose of an opinion case by another 62 days in order to meet its first objective.
- The Court reduced the time a case spends in the Judicial Chambers from the 2001 level of 61 days to 30 days. The Court therefore achieved — indeed, it exceeded — its objective of reducing the time in the Judicial Chambers to 46 days by January 1, 2003.
- The Court reduced the time a case waits in the Warehouse from the 2001 level of 271 days to 232 days. The Court's objective is to reduce the wait in the Warehouse to 217 days by October 1, 2003. Thus, the Court will need to reduce the time a case waits in the Warehouse by another 15 days to meet its first objective. In FY 2004, commencing October 1, 2003, the Court will receive approximately \$525,000 more in revenues from entry and motion fees than it received in FY 2003. These funds will allow the Court to increase its Research Division staff and begin to substantially reduce, if not eliminate, the Warehouse.
- The time a case spends in Intake has been reduced from the 2001 level of 260 days to 238 days. But the Court still needs to cut approximately 66 days from the time an opinion case spends in the Intake phase. The Court has proposed changes to the court rules that will achieve such time savings.
- The Court has reduced the overall time it takes to process dependency appeals from the 2001 level of 325 days to 277 days. And the Court has proposed additional rule changes that will further reduce the time on appeal of TPR cases to a projected average of 167 days.

Chart 9 summarizes the further progress that will be needed to meet the Court's first objective of reducing the time it takes to dispose of an opinion case from the 2001 level of 653 days to 497 days commencing fully on October 1, 2003.

**Chart 9**  
**October 2003 Objective**

	<b>2001</b>	<b>2002</b>	<b>2003 First Six Months</b>	<b>Improvement To Date</b>	<b>First Objective</b>	<b>Improvement Needed To Meet First Objective</b>
<b>Intake</b>	260	240	238	22	173	65
<b>Warehouse</b>	271	261	232	39	217	15
<b>Research</b>	61	62	59	2	61	(2)
<b>Judicial Chambers</b>	61	40	30	31	46	(16)
<b>Total</b>	653	603	559	94	497	62

Chart 10 summarizes the additional progress that will be needed to meet the Court's second objective of reducing the time it takes to dispose of an opinion case from the 2001 level of 653 days to approximately 300 days by September of 2004.

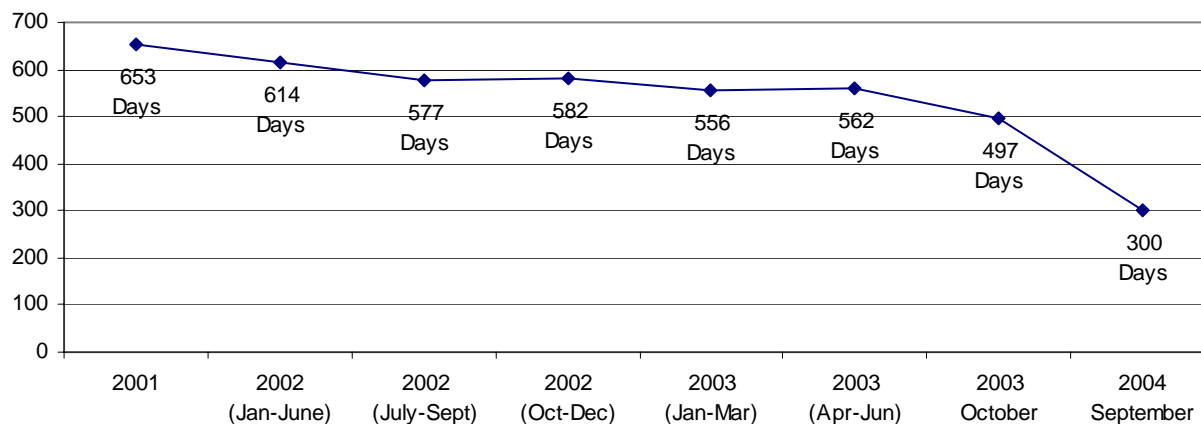
**Chart 10**  
**September 2004 Objective**

	<b>2001</b>	<b>2002</b>	<b>2003 First Six Months</b>	<b>Improvement To Date</b>	<b>Second Objective</b>	<b>Improvement Needed To Meet Second Objective</b>
<b>Intake</b>	260	240	238	22	173	65
<b>Warehouse</b>	271	261	232	39	0	232
<b>Research</b>	61	62	59	2	61	(2)
<b>Judicial Chambers</b>	61	40	30	31	46	(16)
<b>Total</b>	653	603	559	94	280	279



Graph 9 illustrates the situation from a different perspective, showing the Court's starting point in 2001, the progress the Court made from January through June of 2002, the progress from July through September of 2002, the progress from October to December of 2002, the progress from January to March of 2003, the progress from April to June, 2003, the first objective for October of 2003, and the second objective for September of 2004.

**Graph 9**  
**Progress Toward Objectives**



As mentioned in previous progress reports, the Court has established a solid base upon which it can build over the next year so that it can achieve its long-range goal of deciding 95% of all appeals within 18 months of filing. The Court's core mission is to resolve the cases pending before it with due deliberation *and* due speed. Existing Court policies and procedures are focused on ensuring due deliberation. The Court's delay reduction plan will ensure due speed through the significant reduction of delay on appeal. It is part of the Court's core mission and is, and shall remain, a first priority of the Court.